IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 31871 of 2006(T)

PETITIONER:

BINU A.U., AGED 28 YEARS,
SURYA (C1+29), BEACH P.O., SANKUMUGHAM,
TRIVANDRUM.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM.

2. THE DIRECTOR OF TECHNICAL EDUCATION,
PADMAVILASAM, FORT P.O., TRIVANDRUM.

3. THE DEPUTY DTE,
PADMAVILASAM, FORT P.O., TRIVANDRUM.

4. THE PRINCIPAL,
COLLEGE OF ENGINEERING, TRIVANDRUM.

5. UNIVERSITY OF KERALA, REP. BY
ITS REGISTRAR, THIRUVANANTHAPURAM.

R1 TO 4 BY G.P. SMT.N.SUDHADEVEI
R5 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF THE DIPLOMA CERTIFICATE OF THE PETITIONER AS REGISTER NO.997006 DT.26.9.2002.

P1(a): TRUE COPY OF MARKLIST OF THE PETITIONER'S DIPLOMA III YEAR EXAMINATION, REG. NO.9977006 DT.25.7.2002.

P2: TRUE COPY OF THE PROSPECTUS OF PART TIME B.TECH DEGREE COURSE-2006 PUBLISHED BY R2.

P3: TRUE COPY OF THE EXPERIENCE CERTIFICATE ISSUED BY THE PRINCIPAL, GOVT. POLYTECHNIC TO THE PETITIONER DT.20.8.2003.

P4: TRUE COPY OF THE EXPERIENCE CERTIFICATE ISSUED BY THE MANAGING DIRECTOR, SPERINT COMPUTER EDUCATION, DT.28.5.2003.

P5: .DO. .DO. ISSUED BY THE PRINCIPAL, GOVT. POLYTECHNIC, KUMALI DT.3.3.2005.

P6: TRUE COPY OF THE EXPERIENCE CERTIFICATE ISSUED BY THE ADMINISTRATIVE OFFICE, COMPUTER CENTRE, KERALA UNIVERSITY, TRIVANDRUM DT.28.10.2006.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.31871 of 2006

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Dated this the 18th day of January, 2007.

JUDGMENT

The petitioner is declined admission in the part time B.Tech. evening course for the reason that experience gained is not on regular basis, but on contract basis. I do not think for the purpose of experience, it makes any difference whether the employment is on regular or on contract basis. Since petitioner has experience for the required period and is otherwise eligible by virtue of the marks scored in the subjects, I feel petitioner is entitled to admission. Government Pleader reported that one vacancy is there in TKM Engineering College in the same subject applied for by the petitioner. If vacancy is there, I see no reason why it should not be given to the petitioner. There will be direction to the Principal of that college to give admission if petitioner is found eligible as above and if there is a vacancy. The petitioner will produce copy of this judgment before the Principal for compliance. If vacancy is there in any other college, the above direction will bind the Principal of that college.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms